

REMARKS

Consideration of this application in view of the above amendments and following remarks is respectfully requested. Claims 1-3, 6-9, 12-20, 22, 31-38, 51-62, 69, 70, 77-82 are pending. Claims 1, 2, 3, 6, 7, 13, 14, 16, 18, 19, 22, 32, 33, 36, 37, 52, 53, 58, 59, 78 and 79 have been amended. No claims are being added or cancelled. Accordingly, claims 1-3, 6-9, 12-20, 22, 31-38, 51-62, 69, 70, 77-82 remain pending.

Claims 1-3, 6-9, 12-20, 22, 31-38, 51-62, 69, 70, 77-82 stand rejected under 35 USC § 103 based on the disclosures of U.S. Patent No. 5,931,855 (“Buncke”) in view of U.S. Patent Publication No. 2003/0149447 (“Morency”).

The Office Action takes the position that Buncke discloses all of the features of Applicants’ claimed invention excepting the provision of an arcuate base at the underside of the barbs. The Office Action cites Morency as disclosing that the underside base of a barb in a barbed suture may be arcuate. The Office Action then concludes that one of ordinary skill in the art, in view of the combined disclosures of Buncke and Morency, would arrive at Applicants’ claimed invention.

In the present Amendment, Applicants have amended claims 1, 2, 3, 6, 7, 16 and 22 to more particularly recite the claimed invention. In view of this amendment, Applicants respectfully contend that the combination of Buncke and Morency cannot be reasonably construed to suggest Applicant’s claimed invention according to 25 U.S.C. § 103. More specifically, the independent claims have been amended to recite that the underside of the barbs project from the suture body along a line that is transverse to the longitudinal axis of the body, where that line is arcuate. Support for this amendment can be found, e.g., in Figure 10B, which shows a barbed suture 110 including an elongated body 112, where the dashed line denoted as 119 shows the location where the underside of the barb 115 is attached to, i.e., projects from, the suture body 112. Consistent discussion of this Figure is found in paragraph [0183] of the published application (U.S. Publication No. 2004/0060410). Accordingly, the claim amendment is support by the specification as filed.

Furthermore, the amended claims clearly distinguish from the combined disclosures of Buncke and Morency. Neither of those references discuss or figuratively illustrate the line that connects the underside of a barbed suture to the elongated body of the suture. Accordingly, there

is no teaching or suggestion in either Morency or Buncke to specify any particular configuration for the line that joins the underside of the barb to the elongated body of the suture, and there certainly is no teaching or suggestion to prepare a barbed suture accordingly to Applicant's claimed invention.

In view of the above amendments and remarks, allowance of claims 1-3, 6-9, 12-20, 22, 31-38, 51-62, 69, 70 and 77-82 is respectfully requested. A good faith effort has been made to place this application in condition for allowance. However, should any further issue require attention prior to allowance, the Examiner is requested to contact the undersigned at (206) 216-4310 to resolve the same.

The Director is authorized to charge any additional fees due by way of this amendment, or credit any overpayment, to our Deposit Account No. 50-2574.

Respectfully submitted,

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